

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/20/2023

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NEW YORK CITY DISTRICT COUNCIL OF CARPENTERS PENSION FUND, WELFARE FUND, ANNUITY FUND, and APPRENTICESHIP, JOURNEYMAN RETRAINING, EDUCATIONAL AND INDUSTRY FUND, TRUSTEES OF THE NEW YORK CITY CARPENTERS RELIEF AND CHARITY FUND, and THE CARPENTER CONTRACTOR ALLIANCE OF METROPOLITAN NEW YORK,

Plaintiffs,

-against-

NEW YORK MASTCLIMBING LLC, DUNLOP ACCESS SYSTEMS LLC d/b/a DUNLOP MASTCLIMBERS, DUNLOP MASTCLIMBERS, LLC f/k/a DUNLOP WORK PLATFORMS, LLC, DUNLOP MASTCLIMBERS LTD., DUNLOP MASTCLIMBERS LLC,

Defendant.

With the consent of all parties, the Court hereby renders judgment as follows:

1. Judgment is entered in favor of Plaintiffs Trustees of the New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund, Trustees of the New York City Carpenters Relief and Charity Fund, and The Carpenter Contractor Alliance of Metropolitan New York and against Defendants Dunlop Access Systems LLC d/b/a Dunlop Mastclimbers and Dunlop Mastclimbers LLC in the amount of \$375,000, less any amounts previously paid by the Defendants and/or paid through and including the date the Consent Judgement is filed together with the declaration informing the Court of the default, in accordance with the terms and

conditions of the accompanying Settlement Agreement, which is incorporated herein by reference.

2. In the event of an uncured default under the Settlement Agreement, Plaintiffs may file this Consent Judgment, along with a declaration informing the Court of the default. Upon the filing of such a declaration, Plaintiffs will be entitled to enforce this Judgment by all means permitted by law.

3. This Court expressly finds that there is no just reason for delay, and expressly directs the entry of final judgment.

4. This Court retained jurisdiction solely to enforce compliance with the terms of this Consent Judgment and the accompanying Settlement Agreement.

The undersigned parties stipulate to and consent to entry of this Consent Judgment.

Trustees of the New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund, Trustees of the New York City Carpenters Relief and Charity Fund, and the New York City and Vicinity Labor-Management Corporation

Dunlop Access Systems LLC d/b/a Dunlop Mastclimbers and Dunlop Mastclimbers LLC

By: Paul Capuano
Name: Paul Capuano
Title: Trustee
Date: 11/2/2021

By: _____
Name: _____
Title: _____
Date: _____

SO ORDERED:..

conditions of the accompanying Settlement Agreement, which is incorporated herein by reference.

2. In the event of an uncured default under the Settlement Agreement, Plaintiffs may file this Consent Judgment, along with a declaration informing the Court of the default. Upon the filing of such a declaration, Plaintiffs will be entitled to enforce this Judgment by all means permitted by law.

3. This Court expressly finds that there is no just reason for delay, and expressly directs the entry of final judgment.

4. This Court retained jurisdiction solely to enforce compliance with the terms of this Consent Judgment and the accompanying Settlement Agreement.

The undersigned parties stipulate to and consent to entry of this Consent Judgment.

Trustees of the New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund, Trustees of the New York City Carpenters Relief and Charity Fund, and the New York City and Vicinity Labor-Management Corporation **Dunlop Access Systems LLC d/b/a Dunlop Mastclimbers and Dunlop Mastclimbers LLC**

By: _____
Name:
Title: Trustee
Date:

By: Donald MacLeod
Name: Donald MacLeod
Title: CEO
Date: 10/25/21

SO ORDERED:



Date: 3/20/2023

**HON. VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE**

WHEREAS on March 3, 2023, the Court ordered Defendants to show cause why the Court should not enter the Consent Judgment in favor of Plaintiffs by no later than March 17, 2023, Dkt. 39; and

WHEREAS Defendants have not filed any response to the Court's Order.

IT IS HEREBY ORDERED that the herein Consent Judgment is APPROVED.

The Clerk of Court is respectfully directed to terminate the open motion at docket entry 37.